

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8178 OF 2004

Smt Meraj Bawalal Shaikh, .. Petitioner
VS
1. The President, and Convenor
Smt Meraj Bawalal Shaikh,
Inquiry Committee, Solapur and ors. Respondents
Mr S.G. Kudle, for the petitioner.
Mr A.M.Kulkarni, for respondent no.2.
Mr Nitin Jamdar, for respondent no.4.

**CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.**

DATE : APRIL 27, 2005.

P.C.

1. Heard the learned counsel for the parties.
2. The jurisdiction of this Court is tried to be invoked under Article 226 of the Constitution of India for quashing the appointment of the Inquiry Committee which was constituted under Rules 36 and 37 of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981, on a ground that the said Committee is constituted in breach of the said Rules. The learned counsel appearing for the respondents, submitted that the enquiry is complete and the petitioner is punished and the petitioner has thereafter preferred an Appeal No.28/2005 before the School Tribunal. Under these circumstances, we find

appropriate not to entertain this petition since alternate efficacious remedy is available to the petitioner and the petitioner has availed the said remedy. We make it clear that all the grounds which have been raised in this petition, will be opened for the petitioner to be taken and argued before the School Tribunal where the appeal is pending. With these observations, the writ petition is disposed of.

(D.B.BHOSALE, J.)

(S.B.MHASE, J.)

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